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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,113

10/28/2003

Charles F. Weber

10541-1874

6125

48003

7590

03/11/2005

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK

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CHICAGO, IL 60610

EXAMINER

LIEU, JULIE BICHNGOC

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/695,113

Applicant(s)

WEBER, CHARLES F.

Examiner

Julie Lieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/28/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
2. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hardman et al. (US 2002/0126005) in view of Al-Ahmed (US Patent No. 6,384,740).

Claim 1:

Hardman discloses a system for identifying a location of a vehicle, the vehicle including a controller for monitoring status of a component of the vehicle, the system comprising:

- a. a sensor 14 configured to transmit a component ID signal and a component status signal

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- b. a first receiver 26 remote from the vehicle and configured to collect a component ID signal from the sensor
- c. a processor 32 in communication with the first receiver and adapted to receive and correlate the component ID signal, and
- d. a database (represented by 32) in communication with the processor for storing the component ID.

The reference fails to disclose the information regarding the location of the receiver. However, the concept of correlating the component ID and the location of the receiver in vehicle surveillance and control is well known in the art as taught in Al-Ahmed, wherein the location of a remote terminal unit which detects the condition of a vehicle, which in turn represent the location of the vehicle where condition was detected, is reported to the monitoring center. In light of this teaching, it would have been obvious to one skilled in the art to apply this concept in the Harman system because it would be desirable to provide such information to the monitoring facility.

Claim 2:

It is not clear that the processor in Hardman is configured to correlate the component ID with a time that the component ID was received. Nevertheless, one skilled in the art would have readily recognized correlating the time that the information was received in the combined system of Hardman and Al-Ahmed because information such as time would be relevant, especially in vehicle surveillance and control.

Claim 3 :

Sensor 14 includes a radio frequency transmitter.

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Claim 4:

Sensor 14 is a pressure sensor.

Claim 5:

Sensor 14 is mounted inside a tire 10.

Claim 6:

It is not clear whether sensor 14 in Hardman is mounted to a wheel of the vehicle.

However, the location where the sensor is mounted would not present an inventive step because the function of the device is not thereby be modified.

Claim 7:

Following discussion regarding claim 1, the component ID signal and the location of the first receiver are transmitted to the processor and the processor is located in a remote location to service a plurality of receivers.

Claim 8:

The system in Hardman further comprises a second transmitter and a second receiver as shown in fig. 1A. See [0060].

Claim 9:

Neither reference discloses that the component ID has the claimed particular combination. However, it would have been obvious to one skilled in the art to implement the system in Hardman and Al-Ahmed to have 2⁶⁴ as desired since this feature only represent the choice in the design and it is only up to the designer to select a combination that would best fit the application.

Claim 10:

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Though not particularly address in the reference, it would have been obvious to one skilled in the art to correlate the vehicle identification number with the component ID signal because the reference discloses to monitor the tire pressure of vehicle from remote site. It is inherent that the VIN and the component are correlated so that such information can be identified which vehicle the tire in question belongs to.

Claim 11:

The system in Hardman further has user interface 36. It is not clear that the processor in Hardman is configured to correlate the component ID with a time that the component ID was received. Nevertheless, one skilled in the art would have readily recognized correlating the time that the information was received in the combined system of Hardman and Al-Ahmed because information such as time would be relevant, especially in vehicle surveillance and control.

Claim 12:

It is not disclosed in either of the references that the user interface indicates a time and the Location that a component ID was received in response to a vehicle identification number input. However, a skilled artisan would have readily recognized adding a capability of finding time and the location that the component ID was received in response to the VIN input because it would allow the user to monitor a particular vehicle.

Claim 13:

Inherently, the user interface indicates the traffic density based on the Location of the receiver. That is, the more the number of received component ID, the higher the traffic density is indicated.

Claim 14:

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The rejection of claim 14 recites the rejection of claims 1 and 6.

Claims 15-22:

The rejection of claims 15-22 recites the rejection of claims 2, 3, 7, and 9-13, respectively.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Lieu whose telephone number is 571-272-2978. The examiner can normally be reached on Mon-Fri 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Julie Lieu
Primary Examiner
Art Unit 2636

Mar. 05, 05